



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,994	04/03/2000	J. Julian Paas	CA9-99-043	4706
25259	7590	04/20/2005	EXAMINER	
IBM CORPORATION 3039 CROWWALLIS RD. DEPT. T81 / B503, PO BOX 12195 REASEARCH TRIANGLE PARK, NC 27709			BURGESS, BARBARA N	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b><i>Office Action Summary</i></b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/541,994	PAAS, J. JULIAN
<b>Examiner</b>	<b>Art Unit</b>	
	Barbara N. Burgess	2157

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 27 January 2005.  
2a)  This action is FINAL. 2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1 and 3-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1, 3-16 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

**DETAILED ACTION**

This Office Action is in response to amendment filed January 27, 2005. Claims 1, 3-16 are presented for further examination.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Sanders (US Patent No. 5,734,831).

As per claims 1, 13, and 16, Matsuo discloses a method, program product, and computer apparatus of executing a software application, comprising the steps of:

- Calling the software application residing on a server from one of a plurality of clients, the clients and the server connected to each other through at least one network, the software application having a plurality of policy frameworks, each associated with a respective one of the plurality of clients (column 2, lines 65-67, column 3, lines 10-16, column 6, lines 27-40, 60-67);

- Launching a container/desktop of one of the plurality of clients consistent with the respective policy framework of the one client (column 3, lines 18-26);
- The container/desktop initializing and communicating to the server to execute a script of the application (column 3, lines 28-40);
- Executing the script on the server, the script downloading a first user-interface component of the application to the container/desktop (column 5, lines 8-20);
- The container/desktop executing the first user-interface component (column 4, lines 55-65, Figure 7);
- First user interface component linking to and starting another user-interface component of the application (column 5, lines 2-6, Figure 8);
  - Closing the first user-interface component (column 5, lines 22-24);
  - The container/desktop executing and closing the subsequent user-interface component (Figures 7 and 8).

As per claim 3, Sanders discloses the method of claim 1, further comprising:

- The container/desktop removing the user-interface components from memory within the client as each first and subsequent user-interface component is closed (column 5, lines 22-24, Figures 7 and 8).

As per claim 4, Sanders discloses a method of executing an application having a plurality of tasks to be interactively executed with a user, said method comprising:

- Downloading to a one of a plurality of container/desktops only those of a plurality of user-interface components consistent with a policy/framework of the one container/desktop, the user interface components stored on a server needed to perform a first task of the plurality of tasks of an application according to a script executing on the server (column 2, lines 65-67, column 3, lines 10-16, column 6, lines 27-40, 60-67);
- Downloading to the one container/desktop only those user-interface components stored on a server needed to perform a subsequent task of the plurality of tasks of an application according to the script (column 3, lines 18-26);
- Executing subsequent task on the one container/desktop (column 5, lines 2-6, Figure 8);
- Closing said downloaded user-interface components needed to perform the task when no longer needed (column 5, lines 22-24);
- Purging said closed user-interface components from said container/desktop when said closed user-interface components are no longer needed (column 5, lines 22-24, Figures 7 and 8);
- Repeating steps (c) and (d) (column 5, lines 10-14);
- Repeating steps (e) through (g) until all of the plurality of tasks is completed (column 5, lines 10-14).

As per claim 5, Sanders further discloses a computer server comprising:

- A processor, a memory, a bus, and at least one I/O port by which to communicate with a remote client having a container/desktop (column 1, lines 65-67, column 2, lines 1-5, 60-67)
- An operating system with which to coordinate the processor, the memory, the bus, and the at least one I/O port to communicate to the client (column 2, lines 1-5, 60-67);
- An application comprising a plurality of tasks to be executed on the container/desktop, the application stored in memory of and executing on the server (column 3, lines 32-40, column 5, lines 8-10);
- A script of the application stored in the memory of and executing on the server (column 4, lines 10-22, column 5, lines 8-10);
- A plurality of user-interface components stored in the memory, the script comprising code executing on the server to connect the user-interface components to comprise the application wherein the application launches the container/desktop on the client that interacts with the script executing on the server to download from the server to the container/desktop only those user-interface components required for a current task executing on the container (column 4, lines 10-47, column 5, lines 8-15);

As per claim 6, Sanders discloses a client device comprising:

- A container/desktop (column 3, lines 18-26);

- An I/O port with which to communicate to one or more servers having software applications invoking a plurality of tasks on the container/desktop, scripts, and user-interface components for the application (column 3, lines 28-35, 51-60);
- An interactive medium with which to interact with a user, wherein when the user uses the interactive medium to request an application from the server, the script and the application executing on the server downloads only user-interface components to the container/desktop needed by a current one of the plurality of tasks executing according to the script and wherein the container/desktop discards the user-interface components no longer needed by the application (column 4, lines 51-67);

As per claim 7, Sanders discloses the client device of claim 6:

- Wherein the container/desktop comprises code for implementation of the user-interface component on a personal computer (column 3, lines 15-25).

As per claim 8, Sanders discloses the client device of claim 6:

- Wherein the container/desktop comprises code for implementation of the user-interface component on a voice-response unit (column 3, lines 15-25);

As per claim 9, Sanders discloses the client device of claim 6:

- Wherein the container/desktop comprises code for implementation of the user-interface component on a network computer (column 3, lines 20-25).

Art Unit: 2157

As per claim 10, Sanders discloses the client device of claim 6:

- Wherein the container/desktop comprises code for implementation of the user-interface component on a persuasive mobile device (column 2, lines 51-59).

As per claim 11, Sanders discloses the client device of claim 6:

- Wherein the container/desktop comprises code for implementation of the user-interface component on a second server behaving as a client (column 2, lines 60-67).

As per claim 14, Sanders discloses the program product of claim 13, wherein the user-interface components on an as-needed basis according to the script (column 3, lines 24-28).

As per claim 15, Sanders discloses the program product of claim 13 wherein some or all of the user-interface components are stored on the program product (column 4, lines 9-22).

3. Claim 12 is rejected under 35 U.S.C. 102(e) as being anticipated by Popp et al. (hereinafter "Popp", 6,249,291 B1).

As per claim 12, Popp discloses a method to script user-interface components to create an application stored on a server and whose user-interface components are

downloaded to one of a variety of container/desktop of different clients, said method comprising:

- decomposing the presentation logic of the application into a plurality of tasks to be performed interactively with a user on the client (column 7, lines 13-20, 45-57, column 8, lines 32-40, 44-48, column 10, lines 46-52);
- for each of the tasks, creating a state diagram having a plurality of nodes wherein a user-interface component is associated with at least two of the plurality of nodes (column 8, lines 28-31, 44-46, column 12, lines 44-53);
- Writing a script connecting each of the user-interface components in accordance with the state diagram and a policy framework of the container/desktop, each one policy framework being unique to one of said variety of container/desktops of different clients (Abstract, column 3, lines 21-30, column 8, lines 38-47);
- Wherein said script and said user-interface components are stored on at least one server to which said client is connected and said script executes on said server to download said user-interface components to said container/desktop on an as needed basis (column 12, lines 53-67, column 13, lines 42-67).

### ***Response to Arguments***

(a) Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Barbara N Burgess  
Examiner  
Art Unit 2157

April 16, 2005

Barbara N Burgess  
Examiner  
Art Unit 2157

April 16, 2005



BARBARA N BURGESS  
EXAMINER  
ART UNIT 2157  
SUPERVISORY PATENT EXAMINER  
ART UNIT 2100